

**RESOLUTION NO. 2010-40**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, DIRECTING AND AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO NEGOTIATIONS WITH THE KEY BISCAYNE PRESBYTERIAN CHURCH LOCATED AT 160 HARBOR DRIVE TO LEASE A PORTION OF THE CHURCH'S PROPERTY FOR A PARK; FURTHER DIRECTING AND AUTHORIZING THE VILLAGE MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO CONDUCT THE NECESSARY DUE DILIGENCE AND INSPECTIONS OF THE PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (the "Village") is in need of additional park space to serve its residents; and

**WHEREAS**, over the last couple of years, the Village Council has been actively looking for additional park space within the Village; and

**WHEREAS**, the Village Council has recently been made aware an opportunity may exist to lease a portion of the Key Biscayne Presbyterian Church's (the "Church") property located at 160 Harbor Drive (the "Property") for a park; and

**WHEREAS**, as such, the Village Council hereby directs the Village Manager to enter into negotiations with the Church and to conduct the necessary due diligence and inspections of the Property; and

**WHEREAS**, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

**Section 2. Village Manager Directed and Authorized.** The Village Manager is hereby directed and authorized to enter into negotiations with the Church to lease a portion of the Church's Property for a park. The Village Manager is further directed and authorized to take any and all actions necessary to conduct the necessary due diligence and inspections of the Property.

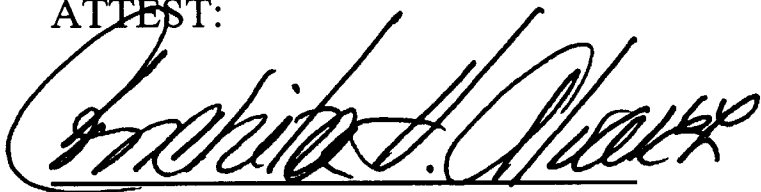
**Section 3. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 14th day of September, 2010.



MAYOR ROBERT L. VERNON

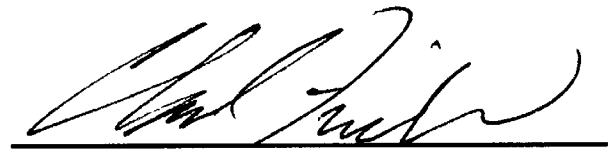
ATTEST:



CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY



VILLAGE ATTORNEY